

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

	Civil Action No.
MANNAN HASSAN,	
	Plaintiff(s),
-against-	
BLESSED CARRIERS, INC. and LIM PICA,	
	Defendant(s).

NOTICE OF REMOVAL

(ECF Document)

Petitioner-Defendants, Blessed Carriers, Inc. (hereinafter "Blessed") and Lima Pica (hereinafter "Pica") by and through their attorneys, Morgan Melhuish Brutyn LLP, 39 Broadway, 17th Floor, New York, New York 10006, respectfully show that:

1. Blessed and Pica are defendants in the above-entitled action commenced by the above-named plaintiff in the Supreme Court of New York, Bronx County (Index No. 21100/2019E). A copy of the Complaint, Answer, Orders, Discovery Demands and Bill of Particular are attached hereto as Exhibit A. These constitute all process, pleadings, and orders of which Petitioner-Defendants have had notice.

2. Said action is a suit of a civil nature and the amount involved, exclusive of interest and costs, exceeds the sum of \$75,000.

3. The United States District Court has original jurisdiction over the subject matter of said civil action under 28 U.S.C. Section 1332(a) in that it is an action wherein the amount in controversy exceeds the sum of \$75,000 exclusive of interest and costs and there is complete diversity of citizenship between the plaintiff and defendants and defendants are not a citizen of the State of New York:

(a) Plaintiff, Mannan Hassan is now, and at the time of the commencement of this action, residing at 143-33 Sanford Avenue, City of New York, Borough of Queens, County of Queens, State of New York, and by virtue of these facts, were and are citizens of the State of New York; and,

(b) Petitioner-Defendant, Blessed is now, and was at the time of the commencement of this action, a corporation of the State of California, with its principal place of business located at 6311 Van Nuys Boulevard, Suite 219, City of Van Nuys, County of Los Angeles, State of California, and was and is a citizen of the State of California.

(c) Petitioner-Defendant Pica, is now, and was at the time of the commencement of this action, residing at 2123 Silva Way, City of Conley, County of Clayton, State of Georgia, and by virtue of these facts, was and is a citizen of the State of Georgia; and,

(d) Plaintiff has stated in a "paper" in the Verified Bill of Particulars dated June 3, 2019 (see Exhibit B), personal injury damages as follows:

9-10. As a result of defendant's recklessness, carelessness and negligence, plaintiff sustained serious and permanent personal injuries including but not limited to the following:

- Supraspinatus and infraspinatus tendinosis of the left shoulder;
- Acromion has a lateral downslope of the left shoulder;
- Left shoulder sprains/strains;
- C4/C5 disc herniation with anterior thecal sac impingement;
- C4/C5 disc herniation with anterior thecal sac impingement;
- C6/C7 disc bulge with anterior thecal sac impingement;
- Straightening of the cervical lordosis indicative of muscle spasm;
- Cervical spine sprains/strains;
- L4/5 disc bulge and left foraminal herniation;
- Straightening of the normal lordosis indicative of muscle spasm;
- Lumbar spine sprains/strains.

Said injuries have directly and indirectly adversely affected the nerves, tissues, blood vessels, blood supply, muscles, ligaments, cartilages, tendons, bones and soft parts in and about the sites of the above described areas of injury, including the central nervous system, digestive system, muscular system and skeletal system shock to the nervous system. Plaintiffs have required, continue to require and will require for an indefinite period of future duration, repeated

continuous medical care and monitoring, utilization of medical support equipment, medication, confinement and various modalities of therapy.

The injuries, manifestations and sequella are permanent and chronic. Additionally, with advancing years, there will be naturally and medically related complications and exacerbations, including but not limited to arthritis. There will be further psychological and somatic overlay with resultant disabilities.

4. Said action is one of which the District Court of the United States is given original jurisdiction.

5. This Notice is being filed within 30 days after notice of the Verified Bill of Particulars dated June 3, 2019, to Petitioner-Defendants, which took place June 5, 2019, by receipt of the Verified Bill of Particulars and the time for filing this Notice under 28 U.S.C. Section 1446 has not expired. This Notice to Removal is being filed within one (1) year of the filing of Plaintiff's Complaint which took place on January 25, 2019. (See Exhibit A, Plaintiff's Complaint.)

6. Upon the filing of this Notice, Petitioner-Defendants will give written notice thereof to Plaintiff's attorney and will file copies of this Notice with the Clerk of the Supreme Court, Bronx County, as provided by law.

7. There is attached hereto as Exhibit A are true and correct copies of all process and pleadings of which Petitioner-Defendant has had notice in said action.

WHEREFORE, Petitioner-Defendant prays that this case be removed from the Supreme Court of New York, Bronx County, to this Court and proceed in this Court as an action properly removed thereto.

Dated: June 28, 2019

MORGAN MELHUISH ABRUTYN, LLP

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